

S/N 10/674,960

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Starkston et al.

Examiner: Samuel M. Heinrich

Serial No.: 10/674,960

Group Art Unit: 3742

Patent No.: 7,772,090

Issue Date: August 10, 2010

Filed: September 30, 2003

Docket: 884.949US1

Title: METHODS FOR LASER SCRIBING WAFERS

APPLICATION FOR POST ISSUE PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(b)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby apply for an adjustment of the patent term due to examination delay as shown in the Issue Notification Received mailed July 21, 2010. The required fee of \$200.00 under 37 C.F.R. § 1.18(e) and a statement of facts in support of this application are attached.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6973

Date 12 October 2010

By

Robert E. Mates
Reg. No. 35,271



CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Issue Fee Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12 day of October, 2010.

Chris Hammond
Name

/Chris Hammond/
Signature

S/N 10/674,960

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert Starkston et al.	Examiner:	Samuel M. Heinrich
Serial No.:	10/674,960	Group Art Unit:	3742
Patent No.:	7,772,090	Issue Date:	August 10, 2010
Filed:	September 30, 2003	Docket:	884.949US1
Title:	METHODS FOR LASER SCRIBING WAFERS		

STATEMENT OF FACTS UNDER 37 C.F.R. § 1.705(b)(2) IN SUPPORT OF
APPLICATION FOR POST ISSUE PATENT TERM ADJUSTMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The following is a statement of facts in support of the application for patent term adjustment.

Applicants have calculated the correct patent term adjustment as **1628 days**, which was calculated as follows:

An Appeal Brief was filed on February 12, 2007. The 4 months PTO response deadline is June 12, 2007. The Notice -- Defective Appeal Brief was mailed on June 21, 2007. The difference between these two dates is 9 days credit to Applicants' patent term.

The date that is four months after the Appeal Brief Filed is November 23, 2007. PTO's response was received on March 7, 2008. The difference between November 23, 2007 and March 7, 2008 is 321 days credit to Applicants' patent term.

The total of these i.e 330 days credit to Applicants' patent term was correctly computed by the USPTO at the time of Post Allowance Patent Term Adjustment and formed part of 1651PTA days as reflected in the Notice of Allowance document. However, these 330 days have now been reversed by USPTO without any basis or justification.

The patent issuing on this application **IS NOT** subject to a terminal disclaimer.

Applicant has detailed above any circumstances during the prosecution of the present application that may constitute a failure to engage in reasonable efforts to conclude processing or examination of the application as set forth in 37 C.F.R. § 1.704.


As set forth above, Applicants' patent term adjustment should be **1628days**, and Applicants respectfully request notification to that effect. The Commissioner is invited to contact Applicants' attorney at (612) 373-6973 with any questions concerning this submission.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6973

Date 12 October 2010

By


Robert E. Mates
Reg. No. 35,271

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Issue Fee Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12 day of October, 2010.

Chris Hammond
Name

/Chris Hammond/
Signature